THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.11697 of 2006

ORDER:

Heard both the Counsel.

The Writ Petition is filed praying for a writ of mandamus declaring the action of respondents 1 and 2 in trying to demolish the shops bearing Municipal Door Nos.3-6-752/5, 3-6-752/4 and 3-6-752/3 in occupation of petitioners 1 to 3 respectively situated at Main Road, Himayatnagar, Hyderabad without issuing any notice as contemplated under Sections 146 and 147 of the Hyderabad Municipal Corporation Act 1955 and contrary to the ratio of the Division Bench Judgment reported in 2001(3) A.L.D. 173 as being illegal, capricious, malafide and violative of the principles of natural justice.

It is stated that the petitioners are tenants. The main grievance ventilated by the petitioners is that without following the due process of law the demolition activity cannot be proceeded with.

In view of the facts and circumstances and also in the light of the several factual details narrated in the affidavit filed in support of the Writ Petition, the Writ Petition is disposed of with the following direction.

Respondents 1 and 2 not to take up any demolition activity in relation to the subject matter of the Writ Petition unless the due process of law is followed. No costs.

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Justice P.S. Narayana

Date : 13-6-2006

Note:

Communicate the order by

wire at parties costs.

AM